

96-98

SUNSHINE PERIOD

RECEIVED

From: jmk
To: Michael Copps
Date: Mon, Feb 24, 2003 12:03 AM
Subject: Linesharing.

FEB 27 2003

Federal Communications Commission
Office of the Secretary

Mr. Copps,

You and your counterparts at the fcc should go to Las Vegas and start performing. You folks would be good magicians as you could wave your wands and hundreds of thousands of jobs could vanish along with the technology that created those jobs. In your next act you could create magical potions that consumers could drink so they could just imagine they were online cheaply. Instead of a future of highspeed you have given us square wheels on our electric cars. Such a great deal, it is fair and just, why? Because there are no winners.

Joshua Kuhn
JMKENTERTAINMENT INC.

96-98

From: jmk
To: Mike Powell
Date: Mon, Feb 24, 2003 12:17 AM
Subject: Linesharing

Just wanted to thank you for your support on the copper line share. Your position on this is very insightful and well thought out. As an American, a consumer of broadband and a fan of technology, I am having a difficult time with the FCC outcome on linesharing. Our Country deserves more forward thinking and trading away the lineshare to preserve UNE-P is a very lazy result. Your dissent is right on in my opinion, and I wish I could do something to help Martin understand he has hurt many Americans.

Thanks
Joshua Kuhn
JMKENTERTAINMENT INC.

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From: jmk
To: Michael Copps
Date: Mon, Feb 24, 2003 1:53 PM
Subject: Linesharing

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Federal Communications Commission
Office of the Secretary

On February 4, 2003, the California Public Utility Commission (CPUC) upheld line sharing, claiming the right to increase unbundling requirements irrespective of the FCC's policy or Triennial Review.

Because cable modem services are not available to a substantial percentage of California residents and since

line sharing is critical to driving a competitive DSL market, in addition to supporting existing DSL service to one million California residents, the CPUC mandated line sharing as an unbundled network element (UNE).

Further, as ILECs have indicated they recover loop costs from tariffed services (i.e., voice) and because CLECs cannot offer a competitive DSL product while paying a monthly fee, the CPUC mandated that ILECs

offer competitors access to high frequency portions of loops (HFPL) at zero-cost.

The CPUC believes states have authority to mandate UNEs to be unbundled regardless of the necessary and

impair test of the FCC.

We believe the decision has implications for other state postures towards broadband UNEs. Further, it underscores that the Triennial Review, which calls for a three-year phase-out of line sharing among other UNEs, has not provided clarity to the market. It may set a floor for unbundling but not a cap on the list of UNEs that states make available to competitors, which could have positive implications for competitors.

Regards,

Joshua Kuhn

RECEIVED

From: jmk
To: Commissioner Adelstein
Date: Mon, Feb 24, 2003 1:54 PM
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